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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,743	11/16/2000	Satoru Matsuda	112857-252	5201
29175	7590	10/19/2005		
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135				
			EXAMINER BARQADLE, YASIN M	
			ART UNIT 2153	PAPER NUMBER

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,743

Applicant(s)

MATSUDA ET AL

Examiner

Yasin M. Barqadle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. The amendment filed on July 28, 2005 has been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al. (U.S. Patent Number 5,926,179, hereinafter "Matsuda") in view of Nagatomo USPN. (6487557).

Claims 1, and 7-11 are rejected under 35 U.S.C. 102(a) as being anticipated by Matsuda discloses a three-dimensional virtual reality space display processing apparatus, a three-dimensional virtual reality space display processing method, and an information providing medium. Matsuda shows:

In referring to claims 1 and 9,

- Transmission object holding means for holding latest position information of a transmitter in a virtual space:

"As shown in the figure, it is assumed that an avatar of a user having user ID 01 is located at coordinates (x01, 0, z01) in a three-dimensional virtual reality space expressed in coordinates (x, y, z). For the user of this avatar, a range having radius Rv from the avatar's position (x01, 0, z01) is a visible area. An image in this visible area in the

direction of which the avatar is orientated is displayed on the display device 45 of the client terminal of that user.” (Matsuda, col. 29, lines 48-56)

- Transmission region definition information (for defining a transmission region as a closed region at a side of the transmitter):

Matsuda, Figure 28 shows the transmission region definition information. A transmission object holding means for holding transmission region definition information is inherently implied in a system that generates and displays transmission region definition information

- Reception object holding means for holding latest position information of a reception object; reception region definition information for defining a reception region as a closed region at a side of the reception object:

The reception object has the same type of position information as the transmission object

- Chat storage means for storing only contents of a chat issued from the transmitter in the reception region or only contents of a chat issued from the transmitter when the reception object enters the transmission region:

Matsuda, Figures 34-39 show chat windows for storing only contents of a chat issued from the transmitter in the reception region or only contents of a chat issued from the transmitter when the reception object enters the transmission region

Although Matsuda shows substantial features of the claimed invention, he does not explicitly show a reception region using flag information

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Matsuda, as evidenced by Nagatomo USPN. (6487557).

In analogous art, Nagatomo is a network access management system using a VRML capable of manipulating virtual space, discloses a flag which represents information showing the presence/absence of an unread e-mail(s). The flag is raised when there is an

unread e-mail(s). Nagamoto further discloses manipulating and replacing object images wherein an image of a flag (e.g. an advertising balloon, a signboard, a banner or the like) indicating an accessing result and a table which stores flags indicating different accessing results (col. 20, lines 32 and col. 2960 to col. 30, line 10). Giving the teaching of Nagamoto, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Matsuda by employing the system of Nagamoto so that the status of an image object is known to any viewer.

In referring to claim 7,

- The transmission region is defined while relation to the latest position information of the transmitter is established, and the reception region is defined while relation to the latest position information of the reception object is established:
A system that defines transmission and reception region information in relation to position information inherently implies the reception region is defined while relation to the latest position information of the reception object is established

In referring to claim 8,

- A reception object control device for preparing and controlling the reception object:
A system that uses a reception region to control chat functionality inherently implies a reception object control device for preparing and controlling the reception object
- The latest position information of the reception object and the reception region definition information are set while relation to the reception object is established:
A system that defines transmission and reception region information in relation to position information inherently implies the latest position information of the reception object and the reception region definition information are set while relation to the reception object is established

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In referring to claims 10 and 11,

- Holding latest position information of a transmitter in the virtual space:

Matsuda, col. 29, lines 48-56 (full quote above)

Holding transmission region definition information for defining a transmission region as a closed region at a side of the transmitter:

Matsuda, Figure 28 shows the transmission region definition information. A transmission object holding means for holding transmission region definition information is inherently implied in a system that generates and displays transmission region definition information

Holding latest position information of a reception object; holding reception region definition information for defining a reception region as a closed region at a side of the reception object:

The reception object has the same type of position information as the transmission object

- Storing only contents of a chat issued from the transmitter in the reception region or only contents of a chat issued from the transmitter when the reception object enters the transmission region:

Matsuda, Figures 34-39 show chat windows for storing only contents of a chat issued from the transmitter in the reception region or only contents of a chat issued from the transmitter when the reception object enters the transmission region

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda and Nagatomo USPN. (6487557).

In referring to claim 2, although Matsuda shows substantial features of the claimed invention, including the system of claim 1 above. Matsuda does not show holding reception region use information indicating whether the reception region is used. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Matsuda. Matsuda Figure 28, shows the chat storage means stores only the contents of the chat issued from the transmitter when the reception object enters the transmission region. It would be obvious to choose between using the transmission region or the reception region as (assuming they both had the same chat enable radius) using either has the same result.

In referring to claim 3, Matsuda,

- In a case where the reception region use information indicates that the reception region is not used, storage of the contents of the chat is made while relation to the reception object holding means which has entered the transmission region is established:

A system that defines transmission and reception region information in relation to position information and uses the regions to determine if storage should be made inherently implies the storage of the contents of the chat is made while relation to the reception object holding means which has entered the transmission region is established

- In a case where the reception region is used, the storage is made while relation to the reception object holding means relative to the reception region where the transmitter has entered is established:

A system that defines transmission and reception region information in relation to position information and uses the regions to determine if storage should be made inherently implies the storage is made while relation to the reception object holding means relative to the reception region where the transmitter has entered is established

In referring to claim 4, although Matsuda shows substantial features of the claimed invention,

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including the system of claim 1 above. Matsuda does not explicitly show the transmission region and the reception region are closed regions defined by two-dimensional elements. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Matsuda.

Matsuda, Figure 28 shows a two-dimensional view of the transmission region. It would be obvious to use the two-dimensional view of Figure 28 as the transmission region, so as to simplify the calculation of the transmission region.

In referring to claims 5 and 6, although Matsuda shows substantial features of the claimed invention, including the system of claim 1 above. Matsuda does not explicitly show the transmission region and the reception region are inner regions of polygonal columns each having a section of a polygon drawn on a horizontal plane in the virtual space. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Matsuda.

Matsuda, Figure 28 shows a two-dimensional view of the transmission region. It would be obvious to use the two-dimensional view of Figure 28 in conjunction with a vertical element (i.e. a column) as the transmission region, so as to simplify the calculation of the transmission region.

Conclusion

4. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR system. Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

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ABDULLAHI SALAD
PRIMARY EXAMINER